

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

NOVARTIS PHARMACEUTICALS CORPORATION, NOVARTIS CORPORATION, and NOVARTIS AG, Plaintiffs, v. WOCKHARDT USA LLC and WOCKHARDT LIMITED, Defendants.
NOVARTIS PHARMACEUTICALS CORPORATION, NOVARTIS CORPORATION, and NOVARTIS AG, Plaintiffs, v. SUN PHARMA GLOBAL FZE and SUN PHARMACEUTICAL INDUSTRIES LIMITED, Defendants.
NOVARTIS PHARMACEUTICALS CORPORATION, Plaintiff, v. ACTAVIS LLC; APOTEX, INC.; APOTEX, CORP.; GLAND PHARMA LTD.; DR. REDDY’S LABORATORIES, INC.; DR. REDDY’S LABORATORIES LTD.; EMCURE PHARMACEUTICALS USA, INC.; EMCURE PHARMACEUTICALS, LTD; HOSPIRA, INC.; PHARMACEUTICS INTERNATIONAL INC.; SAGENT PHARMACEUTICALS, IN.; ACS DOBFAR INFO S.A.; STRIDES, INC.; AGILA SPECIALTIES PRIVATE LTD.; SUN PHARMA GLOBAL FZE; CARACO PHARMACEUTICAL LABORATORIES, LTD.; SUN PHARMACEUTICAL INDUSTRIES LTD.; WOCKHARDT USA LLC; and WOCKHARDT LTD., Defendants.
NOVARTIS PHARMACEUTICALS CORPORATION, Plaintiff, v. ACCORD HEALTHCARE INC.; FRESENIUS KABI USA, LLC; and HIKMA FARMACEUTICA S.A., Defendants.

Consolidated Civil Action No.
2:12-cv-03967-SDW-MCA

[Consolidated with Civil Action Nos.
2:12-cv-04393 and 2:13-cv-01028 and
2:13-cv-02379]

ORDER TO SEAL

Upon Plaintiff Novartis Pharmaceuticals Corporation ("Novartis") ^{unopposed} application for the entry of an Order, pursuant to Local Civil Rule 5.3(c), providing for the sealing of the following documents [D.I. 79]:

- 1) Portions of Novartis's Opposition to Certain Defendants' Motions to Dismiss;
- 2) Portions of the Declaration of Robert W. Trenchard; and
- 3) Exhibits 2-5 to the Declaration of Robert W. Trenchard.

(collectively, the "Subject Material"); the Court having considered the papers submitted in support of this Motion, the Court hereby finds:

1. The Subject Material contains Defendants Pharmaceutics International, Inc.; Apotex, Inc. and Apotex Corp.; Dr. Reddy's Laboratory; Gland Pharma Ltd. ("Defendants") ANDA product and/or proprietary business information that Defendants have designated as confidential and/or nonpublic.

2. Upon consideration of the papers submitted in support of this motion, and the materials sought to be sealed, the Court concludes that Novartis has met its burden under Local Civil Rule 5.3(c) and applicable case law, and that these materials should be sealed.

3. Specifically, the Court concludes that:

- a) the Subject Material contains confidential information concerning Defendants' commercial and/or nonpublic information;
- b) Defendants have a legitimate interest in maintaining the confidentiality of the Subject Material because the confidential information in the Subject Material is commercially sensitive and if publicly disclosed could have significant commercial impact on Defendants; and
- c) there is no less restrictive alternative to the relief sought.

4. *No opposition to the Plaintiff Application was filed.*

THEREFORE, it is on this 11th day of July, 2013

ORDERED that Novartis' Motion to Seal is hereby **GRANTED**; and

IT IS FURTHER ORDERED that the Clerk is hereby directed to seal the Subject Material.



Honorable Madeline Cox Arleo
United States Magistrate Judge